

# NC Commission of Indian Affairs

Cherokee Indian Reservation

Fairfield Inn

Cherokee, NC

December 6, 2013

(Adopted Mar 13, 2014)

Preceding the Commission meeting the Recognition Committee met at Fairfield Inn at 2:00 pm, December 5, 2013 in Cherokee, NC. Following the Recognition Committee meeting, The Cherokee Historic Association hosted a tour of the Cherokee Indian Museum at 5:30 pm. The tour was led by Mr. Bo Taylor, Executive Director of the Museum. The Honorable Michelle Hicks, Chief, Eastern Band of the Cherokee Nation, sponsored a reception for the Commission membership following the tour. Additionally, the illustrious Madson Crowe, Miss Cherokee, performed during the reception.

The meeting was called to order by Chairman Ruth Revels at 8:30 am at the Fairfield Inn.

Presentation of Colors by Cherokee Color Guard, American Legion Post 143  
Cherokee National Anthem, sung in Cherokee language, by Ms. Yona (Bear) Wade  
Invocation spoken in Cherokee language, by Mrs. Marie Junaluska

Ms. Nadine Patrick sang her song, "We're Still Here"

## **APPROVAL OF AGENDA AND PREVIOUS MEETING MINUTES**

Motion to approve agenda: Commissioner Charles "Pete" Richardson, second Commissioner Roy Maynor and carried. Motion to approve the June minutes: Commissioner Larece Hunt, second Commissioner Charlene Jacobs and carried.

## **ROLL CALL**

### **MEMBERS**

President Pro Tem Appointee	Daniel Locklear	Present
Speaker of the House Appointee Lumbee	Faline Locklear-Dial	Absent
Coharie	Isabell Freeman Elliott	Absent
Coharie	Charlene Jacobs	Present
Cumberland County Association for Indian People	Roy Maynor	Present
Cumberland County Association for Indian People	Gladys Hunt	Present
Eastern Band of the Cherokee Nation	Sam Lambert	Present
Eastern Band of the Cherokee Nation	Marvel Welch	Present
Guilford Native American Association	Ruth Revels	Present
Guilford Native American Association	G. DeVane Burnette, Sr.	Present
Haliwa-Saponi	Jeffrey Anstead	Present
Haliwa-Saponi	Charles Richardson	Present
Lumbee	Larece Hunt	Present
Lumbee	Daniel Jones	Absent
Lumbee	Furnie Lambert	Present
Meherrin	Chassidy Hall	Absent

Metrolina Native American Association	Walter D Baucom	Present
Metrolina Native American Association	Jessie Jacobs	Present
Occaneechi Band of the Saponi Nation	Sharn Jeffries	Absent
Sappony	Dorothy Crowe	Present
Triangle Native American Society	Brett Locklear	Present
Waccamaw Siouan	Elton R Jacobs	Present
Waccamaw Siouan	Shirley Freeman	Present
NCNAYO	Jasmine Jacobs	Absent
NCNAYO	Jeremy Locklear	Absent
NCNACHOE	Toni Henderson	Absent

**STATE OFFICIALS**

Department of Administration, Bill Daughtridge, Jr, Secretary		Present
Designee: Bill Bryan		Present
Employment Security Commission, Sharon Decker, Secretary		
Designee: Dale Folwell		Absent
Department of Health & Human Services, Dr Aldona Wos, Secretary		
Designee: Sherry Bradsher		Absent
Department of Labor, Cherie Berry, Commissioner		
Designee: Tina Morris-Anderson		Absent
Department of Environment & Natural Resources, John Skvarla, Secretary		
Designee: Natalie Birdwell for Brad Ives		Absent

**STAFF**

Greg Richardson, Executive Director		Present
Ruth F Maitz, Administrative Secretary		Present
Kimberly Hammonds, Economic Development		Present
David Grigsby, Director, Section 8 Program		Present
Elk Richardson, Director, Workforce Investment Act Program		Present
Mickey Locklear, Director, Educational Talent Search Program		Present

**OTHER STATE OFFICIALS PRESENT**

G Mark Teague, Assistant Attorney General, Department of Justice  
Rhonda Todd, Legislative Liaison, Department of Administration  
Dr Robin Cummings, Assistant Secretary, Department of Health & Human Services

OTHERS PRESENT-Attendance list on file with the Commission

**ETHICS STATEMENT**

Greg Richardson read the Ethics Statement on behalf of Chairman Revels

**EXECUTIVE DIRECTOR’S REPORT**

Included in the December meeting packet and on file at the Commission.

**PROGRAM DIRECTORS’ QUARTERLY REPORTS**

Included in the December meeting packet and on file at the Commission.

**INTRODUCTION OF GUEST SPEAKERS BY MARVEL WELCH AND SAM LAMBERT** (Commission Members and members of the Eastern Band of the Cherokee Nation)

*Scott Penland, Superintendent, Cherokee Central Schools* – Mr. Penland’s career has spanned 32 years in various positions throughout the state. He believes strongly in teacher retention, student attendance and four core values: respect, truth, caring and being responsible. Goals Mr. Penland has set for the schools are: to increase the reading scores and teaching the students to believe in themselves. Of the 1,100 students enrolled in the Cherokee Central Schools, the majority are from the EBCI, although only 25% of the teachers represent the Cherokee nation. One requirement to graduate is to study the Cherokee language. The Cherokee Central Schools system graduation rates are 70%. Student population from the EBCI indicates 54% of which attends Swain or Jackson County public schools. These students are interested in athletic competition; Swain County’s top players are from the EBCI. Dr. Robin Cummings stated UNCP’s American Indian population is dwindling. He would like to see that population grow and to include students from EBCI.

Representatives of the University of Tennessee Chattanooga (UTC) met with Mr. Penland. The UTC representatives spent a week in Cherokee classrooms giving the students information on the next steps needed to take in furthering their education, the exchange program offered, etc. Western Carolina University also has an exchange program for EBCI students.

Greg Richardson stated the Junaluska Leadership Council members are shadowing students. In addition, these youth are gaining an understanding of Tribal government operations, leadership, social and relationship development skills and public speaking.

*Lewis Harden, Chairman, Governing Board of the Cherokee Historical Association* – Mr. Harden is the Commander at the American Legion; he served his country as a fighter pilot. *“Unto These Hills”* is an outdoor drama depicting the life of the Cherokees from the first contact with European settlers, through the Trail of Tears, and the triumphant story of today. The drama is in its 64<sup>th</sup> year, drawing 78,000 guests, which was a 3.6%, increase this season. The *Oconaluftee Indian Village* transports the visitor back centuries relating techniques of survival that have been passed down through generations and preserved in this historical site. The Cherokee Expo Center (old Cherokee High School) is going to be used for periods of inclement weather.

*Mrs. Annette Saunooke Clappsaddle, Executive Director, Cherokee Preservation Foundation* – **A special thank you was expressed to Ms. Clappsaddle and the Cherokee Preservation Foundation for sponsoring the Commission meeting in Cherokee. The Commission also thanked Ms. Marvel Welch and Mr. Sam Lambert, Commission members, for working hard to bring the Commission meeting to Cherokee.** Cherokee Preservation Foundation is an independent nonprofit foundation funded by gaming revenues generated by the Tribe. The Foundation’s mission is to preserve the native culture, protect and enhance our environment, create appropriate and diverse economic opportunities for Cherokee Indians, which will improve the quality of life for all members of the tribe. The Cherokee Preservation Foundation is working on:

- Cherokee language revitalization
- Partner with the Cherokee school system and the surrounding seven county schools
- Leadership programs for youth and adults
- Support Cherokee Youth Council
- Network all youth from the surrounding seven counties
- Costa Rica – high school age youth traveling to Costa Rica to learn about the indigenous population, sustainability
- Personal development agenda – tutoring, collaborative projects
- Cultural leadership programs – EBCI and surrounding seven counties

- Selfless leaders – vital to community
- Grow the number of artisans
- Funding projects that preserve traditional plants which allow members the opportunity to grow and harvest Native crops.
- Be good stewards and respectful of environment, gathering and harvesting, water quality, land preservation
- Emerging issues for Qualla boundary

Ms. Vickey Bradley, Deputy Director, Public Health and Human Services– Cherokee Public Health Human Services is working to bring all services together at the medical center by January 2014.

- Protection services for children and adults
- Veterans’ services
- Public assistance
- Diabetes
- Health Care Center – 50 assisted living beds and 15 memory care beds
- Children’s dental
- Home checks and maintenance
- Plans for a new \$75M hospital, with the expectation of completion by Jan 2016
- All services are available to anyone enrolled in a Federally recognized tribe
- Clinical affiliations – East Tennessee State University, Western Carolina University, UNC Chapel Hill, University of Tennessee, Nash Community College
- Memory assistance – new program in 2011, 15 beds in a closed/locked unit for stage 3 and stage 4 patients
- Inpatient facility may come in the future
- Tracking of health care – 25.2% of population are diabetics, one 10 year old insulin dependent child, 67 people on dialysis. An expectation of a tsunami coming for Cherokee health care costs, which will directly hurt the budget.
- Preventive and mental health care offered – expansion of the mental health program, \$250K substance abuse services, public health preventive programs, disease prevention, behavioral classes, DWI classes

Cory Blankenship, Finance Director, Eastern Band of the Cherokee Nation– Mr. Blankenship is a N.C. State Park Scholar and holds an Indian law degree. The Office of Budget and Finance is responsible for:

- Trash, water and sewer
- Utility billing
- Regulate all commerce
- License all businesses, can restrict business
- 7.5% tribal tax within the boundary stays in Cherokee
- Police and fire departments
- Roads
- Headstart program
- 3% hotel occupancy tax goes to travel and tourism
- Treasury oversees Investment, Capital Reserve, Debt Service Sinking Funds
- Minor per capita disbursed semi-annually, annual average \$140K, money is held in trust for children under 18 years of age. If child does not graduate from high school or hold a GED, the monies are held until age 21. High school graduation rates have increased.
- Education is funded separately, all expenses for education are paid directly to the student, proof of grades is required

- Eastern Band of the Cherokee Nation does not have their own banking system. With new regulations, it is always a possibility, but currently Cherokee is in the driver's seat with the banks they have relationships with. If the need arises maybe a Credit Union, which is not as strictly regulated, would be an option.

Cash management – Cherokee has 35 investment managers and six banking relationships

Purchasing – Every department makes their own purchases. This system will be unified into one

Disbursements – Payroll and accounts payable

Risk Management – Automobile and heavy equipment, worker's compensation for tribal employees

Annual Audits - Completed on all departments and takes approximately five months to complete

Non-Indian businesses within boundary – Conversations with state officials about taxes, etc., and what can be exempted, i.e., fixtures, equipment, licensing fees, etc.

Commissioner Welch gave a brief overview of her Trail of Tears 950-mile bike ride, via the northern route, that started June 3 from New Echota, Ga and ended June 21 in Tahlequah, Ok.

A quote from Indian County Today, *“Welch led the riders into Tahlequah to the cheers of family and friends on the final day June 21.”*

*Congratulations Marvel!*

### **Lumbee Tribe of North Carolina's Proposed Section 8 Project Based Development, Pembroke, NC**

Ed Brooks, Attorney for and member of the Lumbee Tribe, Bosco Locklear, Housing Director and member of the Lumbee Tribe, Tammy Maynor, Director of Governmental Affairs and member of the Lumbee Tribe and Ned Fowler, Consultant for the tribe, passed out site plan drawings for Pembroke Senior Village. The plans indicate there will be 50 dwelling units, 34 one-bedroom and 16 two-bedroom units with 81 parking spaces. Prior to attending the Dec 6, 2013 Commission meeting, on Oct 16, 2103, Paul Brooks, Chairman of the Lumbee Tribe, and the above representatives presented this information to Gregory Richardson, Executive Director, David Grigsby, Section 8 Housing Director, G Mark Teague, Attorney for the Commission, Bill Bryan, Deputy Secretary Department of Administration and Christopher Mears, Public Information Officer, NC Department of Administration. Attorney Brooks information only presentation was brought to the full Commission membership for a vote:

- The Tribe has applied for tax credits
- The project will be a low-income housing development
- Families who occupy the units must be over age 62
- Will comply with fair housing compliance regulations (non-Indians can occupy the units)
- Budget - \$7M project
- The Development will require the Commission to allocate 50 of the Commission's vouchers to the project.
- The 50 vouchers would not be needed for 18 months (while project is under construction)

- At the October 7, 2013 meeting of the Robeson County Commissioners, a resolution was passed giving authorization to the Commission to provide Section 8 Housing in Robeson County, as a Public Housing Agency. (The NC Commission of Indian Affairs did not authorize such a request)

Commission membership posed many questions:

- Why are you presenting this program to NCCIA-Indicated that the Commission was obligated to provide Section 8 Housing in Robeson County? This is not the case.
- Why should the Commission give up or transfer 50 vouchers for its existing counties to Robeson County?
- Why is this program not going to be a success, unless NCCIA gives up 50 vouchers?
- With respect to families currently being assisted in the program, what will happen to those families?
- What is the impact on the current NCCIA Section 8 program operated in Sampson, Granville, Warren, Halifax, Person, Hoke and Columbus counties if 50 units are moved to Robeson County
- Are these 50 vouchers to the Pembroke Senior Village going to be permanent?
- Are there going to be new vouchers issued by HUD?
- Besides the Lumbees, ages 62 or older, who else will benefit?

Ed Brooks stated preferences can be given to American Indians; NCCIA can decide who gets preference. Ned Fowler stated HUD has no plans to increase vouchers to any Section 8 program. Greg Richardson stated HUD would never approve the racial preference due to the Fair Housing Regulation. Motion by Commissioner Elton Ray Jacobs not to allocate 50 Section 8 Vouchers to Lumbee Tribe's Project Based Development, title Pembroke Senior Village, in Robeson County. The motion was seconded by Commissioners Brett Locklear and Pete Richardson. Motion unanimously carried. Commissioner Larece Hunt abstained from voting.

## **RECOGNITION LUNCHEON**

The Luncheon Sponsored by the Cherokee Preservation Foundation.

The following Commission members were honored during the luncheon. Ms. Marvel Welch and Mr. Sam Lambert were honored for their commitment of service to the Commission and their facilitating efforts to bring the December Commission meeting to the Cherokee Indian Reservation.

Mrs. Ruth Revels, Chair of the NC Commission of Indian Affairs, presented Mr. Lambert with a Pine Needle basket, which was donated by Mrs. Loretta Oxendine, a famous Lumbee Artist. Greg Richardson, Executive Director, presented Ms. Marvel Welch with a piece of pottery made by Mrs. Senora Lunch, a famous Haliwa-Saponi Artist.

## **EXECUTIVE DIRECTOR'S REPORT**

The Executive Director indicated his report was included in the December meeting packet for review and study and is on file at the Commission. He recommended the Commission consider moving future meetings to different Indian Communities in 2014. He announced the State Advisory Council on Indian Education has elected a new chairperson, Kamiyoe Lanning, a member of the Eastern Band of the Cherokee Nation. He advised the commission the Cherokee Indian tribe does not have a representative on the United Tribes Board of Directors. A letter has been sent to the tribe requesting they appoint a representative to the United Tribes Board. NCNAYO would like to expand the participation with students

from Cherokee, sharing all the program facets and conferences. Encourage more state officials to attend Commission meetings as they have a wealth of knowledge and can bring resources to the Commission. Commissioner Revels and Greg have been working on a different format for Commission meeting agendas and a different structure for the committees. Commissioner Revels requested the Commission members review the list of Committees and advise her of any recommendations they may have regarding the number of committees and the membership of the committees.

## **RECOGNITION COMMITTEE**

Mr. Larece Hunt, Chairman, reported the committee met Dec 5 in Cherokee and introduced Mrs. Anita Finger-Smith, Genealogist to the Commission. Mrs. Finger-Smith developed a proposal to conduct genealogy work on the Tuscarora Nation of North Carolina's Petition for state recognition. The proposal was passed out and discussed during the meeting. The content and scope of work was discussed explaining the contents thereof. Following her presentation a brief question and answer period was held. Mr. Jeff Davis, consultant for the Tuscarora Nation of North Carolina, was present at the meeting along with a delegation of the Tuscarora. Mr. Davis and his delegation requested the Commission take action to either approve or deny recognition of the Tuscarora Nation of North Carolina at the meeting. The Commission chose not to take such action during the meeting as it would not be proper to do so since the Commission has not completed its review of the petition. Greg Richardson recommended the Commission ask the petitioner if it has submitted all documents relative to the Petition for State Recognition. **The Petitioner stated that "there is no more information to be submitted to the recognition committee"**. Commissioner Anstead asked if the rules still allow the petitioner to submit more information. The petitioner is allowed to submit information until a final decision is made, however, according to information provided by the Petitioner there is no additional information to be submitted to the Commission. Commissioner Hunt stated this is a very slow and tedious process, and the committee will continue the review process and be fair to all parties involved. The Commission determined that to properly study the current petition the recognition committee shall continue to take up only one petition at a time. There are four groups lined up to submit petitions for state recognition, however, due to Commission resources, the Commission cannot review but one petition at a time.

Recommendation thru motion was made by Commissioner Larece Hunt, Chairman of the Recognition Committee, directing Mrs. Ruth Revels, Chair of the Commission, and Mr. Greg Richardson, Executive Director, to meet with Secretary Bill Daughtridge and others as may be appropriate to seek funding to support the work of the recognition process. Chairman Hunt asked that funding be sought by the Secretary and by way of the NC General Assembly, if necessary, to fund the state recognition process. Funding is to support a full-time position to work specifically on state recognition matters. Additionally, Commissioner Hunt recommended this position be funded to support Indian cultural tourism in North Carolina. Commissioner Brett Locklear seconded and motion carried. Greg Richardson explained all current staff are tasked with NCCIA daily duties and cannot give the time needed to these applications. Chairman Revels agreed to meet with Secretary Daughtridge and Deputy Secretary Bill Bryan regarding this matter.

## **WORKFORCE INVESTMENT ACT**

No staff report was included in the packet. Elk Richardson reported his term on the Native American Employment and Training Council (NAETC) Advisory Council is expiring. He also stated that he would serve another term, if the commission members so desired and there were others from North Carolina that might be nominated. Commissioner Furnie Lambert made the motion to authorize Elk to serve on the Native American Employment and Training Council. The motion was seconded by Commissioner Maynor, motion carried.

## **EDUCATION COMMITTEE**

Mickey Locklear announced the Literacy workshop was a success. The Education committee will submit a proposal for a “literacy workshop” during the Unity Conference. Mickey indicated there is one vacancy coming up on the State Advisory Council on Indian Education (SACIE). All other SACIE members are eligible for reappointment. The parent elected must have an American Indian/Alaskan Native student enrolled in the public school system or a charter school. Guidelines for identifying parents/guardians to serve on the State Advisory Council on Indian Education (SACIE) are on file at the Commission office.

## **PUBLIC COMMENT PERIOD**

*Timothy Jacobs, Tuscarora Nation* – Advised the Commission that his group is not, nor does it want state recognition. Indicated that his group opposes Federal recognition for the Lumbee tribe; Lumbees took the Tuscarora culture, the Original 22 were Siouan Indians not Lumbee, the Lumbees are being protected. No action was requested on the part of the Commission.

*Robert Jacobs Chavis, Tuscarora* – Mr Chavis has studied the culture for a long time. In colonial historical times there were four main tribes. The Tuscarora had a rich history in the state and was recognized by the state, and this petition is destroying and diminishing the Tuscarora history. He went on record in opposition to state recognition for the Tuscarora Nation of North Carolina.

*Robert Brooks, Siouan Indian Community of Lumber River* – Mr Brooks’s father was one of the Original 22. In 1938 we were recognized by the federal government, before NCCIA was established. Lumbees have their members on the Lumbee rolls. At the 2013 Unity Conference, they could not carry their banner into the proceedings. No action requested or taken regarding his comments.

## **FLOWER FUND REPORT**

Previous balance: \$555.39

Deposit: \$18.00 (previous meeting)

Expenditures: \$0.00

Current balance: \$573.39

## **FUTURE MEETING DATE**

March 13, 2014, North Raleigh Hilton Midtown, Raleigh, NC – held in conjunction with the NC Indian Unity Conference

June 6, 2014, UNC Pembroke (Not Confirmed)

September 2014 (*Location to Be Announced*)

December 2014 (*Location To Be Announced*)

Meeting adjourned at 2:30 p.m.

Special thanks to the following individuals and organizations for supporting the NC Commission of Indian Affairs:

Michelle Hicks, Principal Chief, Eastern Band of the Cherokee Nation

Marvel Welch, Commissioner NCCIA (Eastern Band of the Cherokee Nation)

Sam Lambert, Commissioner NCCIA (Eastern Band of the Cherokee Nation)

Lewis Hardin, Chairman, Cherokee Historical Association

Annette Saunooke Clapsaddles, Executive Director Cherokee Preservation Foundation

Bo Taylor, Executive Director, Cherokee Indian Museum

Scott Tenland, Superintendent Cherokee Central School

Steve Young Deer Post, Cherokee Honor Guard



Vicky Bradley, Public Health and Human Services  
Corey Blankenship, Finance Director, Cherokee Indian Tribe

**The NC Commission of Indian Affairs would like officially thank Ms. Marvel Welch and Mr. Sam Lambert for securing funding from the Cherokee Preservation Foundation to sponsor the December 6 Commission meeting in Cherokee, North Carolina. Thanks to them a very successful meeting was held.**

Respectfully,

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Faline Locklear-Dial, Secretary/Treasurer